

STATE OF TENNESSEE  
THE CIRCUIT COURT OF BRADLEY COUNTY, TENNESSEE

SUMMONS

CIVIL ACTION  
NUMBER

V. 11-656

Jeanette R. Banta

VS.

Walmart Stores, Inc.

Plaintiff (s)

Defendant (s)

To the above-named defendant(s): Walmart Stores, Inc.

You are hereby summoned and required to serve upon

H. Franklin Chancey

plaintiff's attorney, whose address is

PO Box 42, Cleveland, TN 37364

a written answer to the complaint herewith served upon you within 30 days after service of this summons and complaint upon you, exclusive of the day of service. The same answer must be filed with the court. If you fail to do so, judgment by default can be taken against you for the relief demanded in the complaint.

Issued and tested this

26<sup>th</sup> day of September

2016

Clerk

Deputy Clerk

RETURN

I received this summons on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

I: ☐ served this summons and a complaint on defendant \_\_\_\_\_ in the following manner:

☐ failed to serve this summons within 30 days after its issuance because:

Process Server

NOTICE

TO THE DEFENDANTS:

Tennessee law provides a ten thousand dollar (\$10,000.00) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the council of a lawyer.

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IN THE CIRCUIT COURT OF BRADLEY COUNTY, TENNESSEE

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JEANETTE R. BANTA,  
Plaintiff,

v.

WAL-MART STORES, INC.,  
Defendant.

No. 416-656  
Jury Demanded

FILED

2016 SEP 26 PM 2:26  
CAYLA H. MILLER  
Circuit Court Clerk

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COMPLAINT

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Comes the Plaintiff, JEANETTE R. BANTA, by and through counsel and would bring an action against the Defendant, WAL-MART STORES, INC. for injuries suffered as a result of the negligent acts of the Defendant which occurred on or about October 5, 2015 and would show unto the Court the following:

1. The Plaintiff was and presently is a resident of Bradley County, Tennessee, at all times mentioned in this Complaint;
2. The Defendant, WALMART STORES EAST, LP, is a for profit corporation providing services in Bradley County Tennessee and can be served through their agent for service of process, CT Corporation System, 800 S. Gay Street, Suite 2021, Knoxville, TN 37929-9710.
3. The Plaintiff brings this action to recover personal injuries resulting from the Defendants' failure to maintain its store premises in a safe condition or by the Defendant's failure to warn the Plaintiff of the existence of a hazardous condition on or about the 5<sup>th</sup>

day of October, 2015.

4. While the Plaintiff was a guest at WALMART store number 698 in Cleveland, Tennessee, the Plaintiff was retrieving a buggy at the east entrance in front of a flower display when she slipped on the floor and the buggy hit her, throwing her to the floor. The Defendant should have known that water existed on the floor in that area.

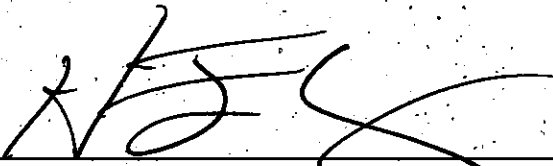
5. The Plaintiff further avers that the Defendant failed to address this dangerous condition or to provide any warning to business invitees such as the Plaintiff.

6. At the time of the fall, these failures, individually, and in concert were the proximate cause of the Plaintiff's injuries. The Plaintiff would show that she has suffered injuries to her spine, right shoulder, bilateral knees and wrist pain. Plaintiff also has had to undergo numerous diagnostic tests which have not had a positive outcome as of yet and as a result she will be incurring further expenses for these injuries.

**WHEREFORE PREMISES CONSIDERED THE PLAINTIFF DEMANDS:**

1. That process issue to the Defendant in a way and manner as required by law;
2. Upon the final trial in this cause, the Plaintiff recover a judgment against the Defendant in the amount of One Hundred Thousand dollars (\$100,000.00) to compensate her for her injuries, pain and suffering, and cost of medical care.
3. Plaintiff prays that she be awarded such further and general relief as to which she may be entitled.
4. Plaintiff demands a jury for the trial of this cause.

Respectfully submitted,  
**JEANETTE R. BANTA**  
By her attorneys.

  
H. Franklin Chancey (BPR#013187)  
CHANCEY, KANAVOS, LOVE & PAINTER  
P.O. Box 42  
Cleveland, TN 37364-0042  
(423) 479-9186

**COST BOND**

We, the undersigned Principal and Surety, bind ourselves for the costs of this  
cause not to exceed One Thousand Dollars (\$1,000.00).

**JEANETTE R. BANTA**  
PRINCIPAL

  
SURETY, H. Franklin Chancey

STATE OF TENNESSEE, COUNTY OF BRADLEY  
I, Gayla H. Miller, Clerk of the Circuit Court of said  
County, do hereby certify that the foregoing is a true  
copy of the Civil Complaint as same as  
appears on the file in my office.  
WITNESS my hand and Official Seal, at Cleveland,  
Tennessee, this 16th day of Sept.  
20 16 2016 AYLA H. MILLER Clerk  
RB Deputy Clerk